



H.C.P(MD)No.1209 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P.(MD) No.1209 of 2024

N.Durga

...Petitioner /Mother of the detenu

Vs.

State of Tamil Nadu, rep. by

1.The Commissioner of Police,

Madurai City,

Madurai.

2.The Inspector of Police,

Thallakulam Police Station,

Madurai City.

3.Ashok Kumar

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India

praying for the issue of a Writ of Habeas Corpus, directing the



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respondents 1 and 2 herein to produce the person or body of the petitioner's daughter namely, Monumitha, D/o.Ashok Kumar, aged about 9 years, before this Court and hand over the custody.

For Petitioner : Mr.G.Sivakumar

For Respondents : Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

The Habeas Corpus Petition has been filed by the mother complaining that her daughter, aged about 9 years is under the custody of the third respondent, her former husband.

2. Owing to various reasons, she had filed HMOP No.701 of 2021 and had obtained divorce from the third respondent by an order dated 22.11.2022. She had also remarried.

3. The child had been produced before this Court by the third respondent. There are parallel proceedings pending in G.W.O.P.No.349 of 2023 before the Family Court at Madurai. All necessary reliefs can be obtained only before the said Court.



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4. The detenu is safe. We enquired with her. Since the detenu is alive and had expressed her clear intention that she wants to go and live with her father/third respondent, no further orders are required in this Habeas Corpus Petition.

5. Accordingly, this Habeas Corpus Petition stands closed.

(C.V.K., J.) (R.P., J.)

04.10.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM



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- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Thallakulam Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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C.V.KARTHIKEYAN, J.
AND
R.POORNIMA, J.

RM

ORDER MADE IN
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